

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ALEXANDER STYLLER, INTEGRATED
COMMUNICATIONS & TECHNOLOGIES,
INC., JADE CHENG, JASON YUYI, CATHY
YU, CAROLINE MARAFEO CHENG,
PUSHUN CHENG, CHANGZHEN NI,
JUNFANG YU, MEIXIANG CHENG,
FANGSHOU YU, and CHANGHUA NI,

Plaintiffs,

vs.

HEWLETT-PACKARD FINANCIAL
SERVICES COMPANY, HEWLETT-
PACKARD FINANCIAL SERVICES (INDIA)
PRIVATE LIMITED, HP INC., HEWLETT
PACKARD ENTERPRISE COMPANY, and
DAVID GILL

Defendants.

Civil Action No. 1:16-CV-10386 (LTS)

**DEFENDANTS' MOTION TO STRIKE PLAINTIFFS' CROSS-MOTIONS (1) FOR
PARTIAL SUMMARY JUDGMENT ON THE ISSUE OF COUNTERFEITING AND
(2) TO EXCLUDE DEFENDANTS' EXPERT WITNESS**

Defendants Hewlett-Packard Financial Services Company, Hewlett-Packard Financial Services (India) Private Limited, HP, Inc., Hewlett Packard Enterprise Company, and David Gill, move to strike Plaintiffs' Cross-Motions (1) for Partial Summary Judgment on the Issue of Counterfeiting and (2) to Exclude Defendants' Expert Witness (collectively, the "Cross-Motion") [[Dkt. No. 330](#), [Dkt. No. 334](#)]. For the reasons set forth in the accompanying Memorandum, Plaintiffs made no good-faith attempt to meet and confer with Defendants before filing the Cross-Motion, in contravention of Local Rule 7.1 and the directive of this Court. Accordingly,

Defendants respectfully request that this Court strike and/or summarily deny the Cross-Motion in its entirety.

Dated: April 30, 2020

Respectfully submitted,

/s/ Michael H. Bunis

Michael H. Bunis (BBO No. 566839)
G. Mark Edgerton (BBO No. 657593)
Kevin C. Quigley (BBO No. 685015)
CHOATE HALL & STEWART LLP
Two International Place
Boston, Massachusetts 02110
(617) 248-5000
mbunis@choate.com
medgerton@choate.com
kquigley@choate.com

Anthony P. Callaghan
Paul A. Saso
GIBBONS P.C.
One Pennsylvania Plaza, 37th Floor
New York, New York, 10119
(212) 613-2000

Counsel for Defendants

CERTIFICATION UNDER LOCAL RULE 7.1(a)(2)

I, Michael H. Bunis, counsel for Defendants, certify that on April 22, 2020 and April 28, 2020, I contacted Dimitry Joffe, counsel for Plaintiffs, in good faith to schedule a telephonic meet and confer regarding the instant Motion and stated the grounds therefor. Mr. Joffe stated his views to the contrary, his belief that no call was required, and his belief as to the sufficiency of the “electronic meet and confer.” We were unable to resolve or narrow the issues in dispute.

/s/Michael H. Bunis

Michael H. Bunis

CERTIFICATE OF SERVICE

I, Christina T. Lau, Attorney for Defendants Hewlett-Packard Financial Services Company, Hewlett-Packard Financial Services (India) Private Limited, HP Inc., Hewlett Packard Enterprise Company, and David Gill, hereby certify that the foregoing document was filed using the CM/ECF system and electronic notice will be sent to registered participants as indicated on the Notice of Electronic Filing (NEF) on April 30, 2020.

/s/Christina T. Lau

Christina T. Lau